

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH
THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Arkansas Department of Education
DIVISION School Improvement and Professional Development
DIVISION DIRECTOR Janinne Riggs
CONTACT PERSON Ann Biggers
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INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire & financial impact statement attached to the front of two (2) copies of your proposed rule and required documents. Mail or deliver to:

Donna K. Davis
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

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- 1. What is the short title of this rule? **Rules Governing Advanced Placement Courses in the Four Core Areas in High School**
- 2. What is the subject of the proposed rule? **Advanced Placement courses in every high school taught by trained teachers.**
- 3. Is this rule required to comply with federal statute or regulations? Yes _____ No **X**
If yes, please provide the federal regulation and/or statute citation.
- 4. Was this rule filed under the emergency provisions of the Administrative Procedures Act?
Yes _____ No **X**
If yes, what is the effective date of the emergency rule?

When does the emergency rule expire?

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes _____ No _____

5. Is this a new rule? Yes ☒ No ☐ If yes, please provide a brief summary explaining the regulation. **The Arkansas Department of Education Rules Governing Advanced Placement Courses in the Four Core Areas in High School ensures that each school district provides high school students with the opportunity to enroll in at least one (1) College Board Advanced Placement Course in the four (4) core areas of English, math, science, and social studies, and outlines teacher training requirements.**

Does this repeal an existing rule? Yes ☐ No ☒ If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes ☐ No ☒ If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes. **NOTE: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law grants the authority for this proposed rule. If codified, please give Arkansas Code citation. **Ark. Code Ann § 6-11-105, §6-16-201, and Act 102 of the Second Extraordinary Session of 2003.**
7. What is the purpose of this proposed rule? Why is it necessary? **To ensure that each school district provides high school students with the opportunity to enroll in at least one (1) College Board Advanced Placement course in the four (4) core areas of English, math, science, and social studies, and to outline teacher training requirements.**
8. Will a public hearing be held on this proposed rule? Yes ☒ No ☐
If yes, please complete the following:
- Date: **Thursday, May 13, 2004**
Time: **10:00 a.m. – 12:00 p.m.**
Place: **ADE Auditorium**
9. When does the public comment period expire for permanent promulgation? (Must provide a date.) **May 13, 2004**
10. What is the proposed effective date of this proposed rule? (Must provide a date.)
July 1, 2004
11. Do you expect this rule to be controversial? Yes ☒ No ☒ **A little of both.**
If yes, please explain. **Most of the controversy will be over where the money is coming from to pay for this. Teachers are willing to get the training if they can find funding for it. Also, there is some feeling against having students be required to take the exam to get the weighted credit even though the score isn't a factor.**
12. Please give the names of persons, groups, or organizations that you expect to comment on these rules. Please provide their position (for or against) if known.

Arkansans for Gifted and Talented Education - For
Arkansas Association for Gifted Education Administrators - For
College Board Advanced Placement Summer Institute Directors - For
Barbara Prichard, Administrator of Gifted Programs and Advanced Placement Programs, Fayetteville School District - Against requiring the taking of exams for weighted credit

SUMMARY

The Arkansas Department of Education Rules Governing Advanced Placement Courses in the Four Core Areas in High School,

- **Ensures that each school district provides high school students with the opportunity to enroll in at least one (1) College Board Advanced Placement course in the four (4) core areas of English, math, science and social studies,**
- **Outlines teacher-training requirements, and**
- **Establishes a Concurrent Enrollment Course Approval Panel**

FINANCIAL IMPACT STATEMENT

DEPARTMENT Arkansas Department of Education
DIVISION School Improvement and Professional Development
PERSON COMPLETING THIS STATEMENT Ann Biggers
TELEPHONE NO. 682-4224 FAX NO. 682-4220 EMAIL abiggers@arkedu.k12.ar.us

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Rules Governing Advanced Placement Courses in the Four Core Areas in High School

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes X No _____
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain. **There are so many unknowns when it comes to implementing this Act that a cost analysis will be very speculative. We do not know how many teachers have never attended training in the past and therefore will need to be in the first wave of training for the summer of 2005. We also do not know how many students will want to get the weighted credit therefore must take the appropriate exam(s). Projections below estimate costs but in a very general manner.**
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____
Total _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____
Total _____

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? Identify the party subject to the proposed regulation and explain how they are affected.

Current Fiscal Year **2003-2004**
\$ 0

Next Fiscal Year **2004-2005**
\$ 0

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

Current Fiscal Year **2003-2004**
\$ 320,000 (already paid)

Next Fiscal Year **2004-2005**
\$ \$1,475,000

DEPARTMENT OF EDUCATION
FISCAL IMPACT STATEMENT OF PROPOSED REGULATION
(In compliance with Acts 884 and 1253 of 1995)

Regulation Title: Rules Governing Advanced Placement Courses in the Four Core Areas in High School

Summary Description of Regulatory Proposal: Each school district provides high school students with the opportunity to enroll in at least one (1) College Board Advanced Placement Course in the four (4) core areas of English, math, science, and social studies, and to outline teacher training requirements.

Cite Statutory Authority for this Regulatory Proposal: Ark. Code Ann §§ 6-11-105, 6-16-201, and Act 102 of the Second Extraordinary Session of 2003

- I. Fiscal Impact on the Department: (include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **This is already in place. Since 1995 Advanced Placement programs have been administered from the Office of Gifted and Talented, School Improvement and Professional Development.**
 - B. Time Required for Implementation. **None**
 - C. Procedural Changes. **None**
 - D. Other.
- II. Fiscal Impact on Local School District or Others? (Include whether impacts are non-recurring or recurring)
 - A. Resources Required - Personnel, equipment, office space. **There will need to be ample money available to adequately train teachers at the AP summer institutes. There will need to be ample money available for students who choose to take the exam in order to obtain the weighted credit. And there will need to be ample money to pay for the many more exams for students of low income and students taking more than 2 exams. State money for these last two is stretched to the limit.**
 - B. Time Required for Implementation. **One school year (to summer 2005)**
 - C. Procedural Changes. **Districts should begin with the 2005 summer sending non-trained teachers (never attended an AP summer institute) before they register trained teachers.**
 - D. Other.
- III. Additional Comments.

Prepared by: (Name) **Ann M. Biggers**
(Title) **Administrator, Gifted and Talented Programs and Advanced Placement Programs**
(Date) **4-9-2004**

Arkansas Department of Education
Proposed Rules Governing Advanced Placement Courses in the Four Core
Areas in High School

1.00 Purposes of Rules

- 1.01 To ensure that each school district provides high school students with the opportunity to enroll in at least one (1) College Board Advanced Placement course in the four (4) core areas of English, math, science, and social studies, and to outline teacher training requirements.

2.00 Regulatory Authority

- 2.01 These regulations shall be known as the Arkansas Department of Education (ADE) Rules Governing the Availability of Advanced Placement (AP) Courses in the Four (4) Core Areas in High School.
- 2.02 The State Board of Education enacted these rules pursuant to its authority under Ark. Code Ann. §§6-11-105, 6-16-201, and Act 102 of the Second Extraordinary Session of 2003.

3.00 Definitions

- 3.01 “A pre-Advanced Placement (pre-AP)” course means a middle school, junior high school, or high school level course that specifically prepares students to enroll and to participate in an advanced course.
- 3.02 “Advanced Placement (AP)” course means a high school level preparatory course for a college Advanced Placement test that incorporates all topics specified by the College Board and the Educational Testing Services on its standard syllabus for a given subject area and is approved by the College Board and Educational Testing Service.
- 3.03 “Concurrent Enrollment” course means a college level course or courses offered by an institution of higher education, which upon completion would qualify for academic credit in both the institution of higher education and a public high school.
- 3.04 “Vertical Team” means a group of educators from different grade levels in a given discipline who work cooperatively to develop and implement a vertically aligned program aimed at helping students from diverse backgrounds acquire the academic skills necessary

for success in the Advanced Placement Program and other challenging courses.

- 3.05 “Weighted Credit” means additional quality points for designated AP courses that will be contingent upon the teacher obtaining appropriate training required by Section 4.01 of this rule and as defined in the Uniform Grading Scale Rule. Students desiring weighted credit must also take the applicable AP examination.

4.00 Teacher Training

- 4.01 A teacher of an AP course must meet Arkansas Teacher Licensure requirements and must attend a College Board Advanced Placement Summer Institute. Teachers must attend no less than once every four (4) years to stay current on curriculum and program developments.
- 4.02 A teacher of a pre-AP course must meet Arkansas Teacher Licensure requirements and must attend a College Board sponsored or endorsed institute/conference/workshop.
- 4.03 Weighted Credit for designated AP courses will be contingent upon the teacher obtaining training as outlined in 4.01.

5.00 Required Advanced Placement Courses

- 5.01 Beginning with the 2005-2006 school year, it is required that districts begin phasing in, over the next four (4) school years, AP courses with a minimum of one course per year in the four (4) core courses to have fully implemented the required four (4) core courses in English, math, science, and social studies by the beginning of the 2008-2009 school year.
- 5.02 AP teachers should begin attending AP summer institutes when available in order to be ready for the 2008-2009 course implementation deadline.
- 5.03 In order to prepare students for the rigor inherent in AP courses, it is recommended to begin with the 2004-2005 school year by offering pre-AP courses to prepare students for the demands of AP coursework. Aligned with the four (4) required AP courses, the pre-AP courses will be fully operational by the 2008-2009 school year.

6.00 Concurrent Enrollment Course Approval Panel

- 6.01 There will be a panel known as the “Concurrent Enrollment Course Approval Panel” that will consist of six (6) members, each knowledgeable regarding AP coursework or Concurrent Enrollment coursework and a resident of the State of Arkansas at the time of appointment and throughout the term.
- 6.02 The six-member panel shall consist of three (3) persons appointed by the Director of the ADE and three (3) persons appointed by the Director of the Department of Higher Education (ADHE). Members shall serve at the pleasure of the director making the appointment.
- 6.03 If a vacancy occurs in an appointed position for any reason, the vacancy shall be filled by appointment by the director of the department that made the original appointment.
- 6.04 The Directors of the ADE and the ADHE shall alternate each year naming a person to serve as chairperson of the panel.
- 6.05 The Directors of the ADE and the ADHE shall draw lots to determine which director shall first appoint a chairperson.
- 6.06 The panel shall meet at times and places the chairperson deems necessary, but no meetings shall be held outside of the State of Arkansas.
- 6.07 A majority of the members of the panel shall constitute a quorum for the purpose of transacting business.
- 6.08 All action of the panel shall be by a majority of the full membership of the panel.
- 6.09 For the purpose of access and equity, the panel shall make recommendations to the ADE and the ADHE regarding the rules for offering of AP courses, or Concurrent Enrollment courses, or both.
- 6.10 The ADHE on shall provide staff and office space for the panel.
- 6.11 Members of the panel shall serve without pay, but may receive expense reimbursement in accordance with Arkansas Code §25-16-902; to be paid by the ADHE to the extent money is available.

7.00 Exemption

Any high school offering the International Baccalaureate Diploma Program shall be exempt from the provisions of this rule.

8.00 Full Implementation

8.01 Full implementation of this rule is dependent upon the level of funding appropriated by the General Assembly.

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03/31/04